

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAPLEWOOD SENIOR LIVING, LLC,

Plaintiff,

v.

M&T INSURANCE AGENCY, INC.,

Defendant.

No. 23-cv-1240 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On December 5, 2024, the parties jointly moved to stay discovery in this action pending the outcome of mediation, which the parties have agreed to schedule in February or March of 2025. ECF No. 42. The Court finds that a stay is appropriate.


Although a court is under no obligation to stay discovery pending resolution of mediation, its power to do is “incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants,” *Thomas v. N.Y. City Dep’t of Educ.*, No. 09-CV-5167 (SLT) (RLM), 2010 WL 3709923, at *2 (E.D.N.Y. Sept. 14, 2010) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)), and the decision whether to grant a stay is placed “firmly within a district court’s discretion,” *Catskill Mountains Chapter of Trout Unlimited, Inc. v. U.S. E.P.A.*, 630 F. Supp. 2d 295, 304 (S.D.N.Y. 2009). Having considered the relevant factors in deciding whether a stay pending mediation is merited—“(1) the private interests of the plaintiffs in proceeding expeditiously with the civil litigation as balanced against the prejudice to the plaintiffs if delayed; (2) the private interests of and burden on the defendants; (3) the interests of the courts; (4) the interests of persons not parties to the civil litigation; and (5) the public interest,” *see Catskill Mountains Chapter of Trout Unlimited*, 630 F. Supp. at 304—the Court finds that a stay is warranted.

Discovery in this action is hereby stayed pending further order of the Court. If mediation is unsuccessful, the parties are ordered to submit a proposed scheduling order for expert discovery no later than ten days after the conclusion of mediation.

The telephonic post-fact discovery conference scheduled for December 13, 2024 is hereby adjourned to March 14, 2025 at 3 p.m. Dial-in Number: (855) 244-8681; Meeting ID: 2305 5424 735. No later than one week prior to the discovery conference, the parties shall file a joint letter advising the Court as to the status of the case.

SO ORDERED.

Dated: December 9, 2024
New York, New York



Hon. Ronnie Abrams
United States District Judge